

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BARBARA A. WILHELM,  
Plaintiff

v.

COMMONWEALTH OF PA.;  
PENNSYLVANIA STATE POLICE;  
COLONEL PAUL J. EVANKO,  
COMMISSIONER; LIEUTENANT  
COLONEL THOMAS K. COURY; and  
CAPTAIN MICHAEL. D. SIMMERS,  
Defendants

NO. 1:CV-01-1057

(JUDGE RAMBO) FILED

HARRISBURG PA

DEC 06 2002

MARY E. D'ANDREA, CLERK  
Per Deputy Clerk

**MOTION FOR ENLARGEMENT OF TIME TO SERVE  
DEFENDANTS' EXPERT REPORT**

Pursuant to Fed.R.Civ.P. 6(b) defendants move for a 5 day  
enlargement of time to serve an expert's report in this matter. In support of this  
motion defendants' state as follows:

1. By order dated October 23, 2002, this Court reopened discovery  
and established deadlines for the parties to serve expert reports. The order  
established the discovery deadline as December 30, 2002. Plaintiff's expert report  
was due on November 4, 2002 and the deadline for deposing the expert was  
November 15. Defendants' expert report is to be served today and the deadline for  
deposing defendants' expert is December 20, 2002. The Court also continued the  
hearing on plaintiff's equitable relief until January 22, 2003.

2. Defendants have consulted with two experts in connection with this case. One of the experts' report is completed and will be served today.

3. Defendants have just received the second expert's report and would like an opportunity to discuss the report with the expert and counsel before serving on plaintiff.

4. Defendants are seeking an enlargement of time of 5 days or until December 11 to to serve their second expert report.


5. Defendants do not object to a comparable enlargement of time to permit plaintiff to depose their experts.

6. The brief enlargement requested should not delay the disposition of this matter because the hearing on plaintiff's equitable relief is not scheduled until January 22, 2003.

**WHEREFORE**, this court should enlarge the time for defendants to serve their second expert report by 5 days or until December 11, 2002.

**Respectfully submitted,**

**D. MICHAEL FISHER**  
**Attorney General**

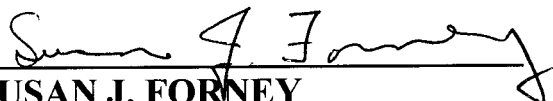
BY:   
**SUSAN J. FORNEY**  
**Chief Deputy Attorney General**  
**I.D. No. 27744**

**Office of Attorney General  
Litigation Section  
15<sup>th</sup> Floor, Strawberry Square  
Harrisburg, PA 17120  
(717) 787-9831**

**DATED: December 6, 2002**

**CERTIFICATE OF CONCURRENCE / NONCONCURRENCE**

Counsel for defendants tried to contact counsel for plaintiff to obtain his concurrence in the foregoing motion; however, counsel for plaintiff was not available.

  
**SUSAN J. FORNEY**  
**Chief Deputy Attorney General**

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

BARBARA A. WILHELM,  
Plaintiff

v.

COMMONWEALTH OF PA.;  
PENNSYLVANIA STATE POLICE;  
COLONEL PAUL J. EVANKO,  
COMMISSIONER; LIEUTENANT  
COLONEL THOMAS K. COURY; and  
CAPTAIN MICHAEL. D. SIMMERS,  
Defendants

:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

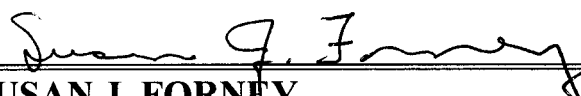
NO. 1:CV-01-1057

(JUDGE RAMBO)

CERTIFICATE OF SERVICE

I, SUSAN J. FORNEY, Chief Deputy Attorney General for the  
Commonwealth of Pennsylvania, hereby certify that on December 6, 2002, I  
caused to be served a copy of the foregoing document entitled **Motion for  
Enlargement of Time to Serve Defendants' Expert Report**, by depositing same  
in the United States Mail, first class, postage prepaid, in Harrisburg, Pennsylvania,  
upon the following:

Nathan C. Pringle, Jr., Esquire  
3601 North Progress Avenue, Suite 200  
Harrisburg, PA 17110

  
\_\_\_\_\_  
SUSAN J. FORNEY  
Chief Deputy Attorney General  
I.D. No. 27744